

### **REMARKS**

Claims 1, 2, and 4-13 are pending. Claim 1 has been amended. Claim 3 has been cancelled. Reconsideration and allowance of the present application based on the following remarks are respectfully requested.

#### ***Claim Rejections Under 35 U.S.C. § 102***

Claims 1-13 were rejected under 35 U.S.C. § 102(b) over Moskowitz et al. (U.S. Patent No. 5,889,868). Applicants respectfully traverse this rejection.

Claim 1 has been amended to include the subject matter of claim 3. Amended claim 1 recites, in part, an apparatus for imbedding a watermark that includes a linear prediction analyzing unit for receiving an original signal and detecting a prediction coefficient predetermined through the linear prediction analysis wherein a psychological acoustic modeling unit receives the original audio signal and obtains the masking threshold as a threshold capable of sensing audio original sound in a frequency area by employing a psychological acoustic model. Although the Office Action alleges that each of these features are disclosed by Moskowitz, Applicants respectfully disagree.

Moskowitz discloses optimized watermark insertion using nonlinear (chaotic) generators, error correction, and data redundancy. See, for example, Column 10, lines 38-43. Moskowitz fails to teach, or even remotely suggest, the above, or other, features of claim 1 discussed above. In fact, as previously submitted, Applicants have reviewed the entire Moskowitz specification and have not found any reference or disclosure related to the linear prediction analyzing unit, the delay unit, the linear prediction analysis filtering unit, a frequency area converting unit or the psychological acoustic modeling unit recited in claim 1. In response, the Examiner, in the Advisory Action, identified column 12, lines 5-9. However, this citation merely discusses the use of linear and nonlinear quantization. Linear quantization of a signal is not linear prediction analysis.

Should the Examiner still believe that these features are disclosed in Moskowitz, the Examiner is invited to particularly indicate the language in Moskowitz that the Examiner is relying on beyond Applicants claim language and reference to entire columns of disclosure.

Additionally, although Moskowitz discloses a perceptual coding system (column 16, lines 15-25), Moskowitz does not teach a model that receives the original audio signal and obtains the masking threshold as a threshold capable of sensing audio original sound in a frequency area by employing a psychological acoustic model, as recited in amended claim 1.

Accordingly, Moskowitz fails to teach, or even suggest, an apparatus for imbedding a watermark that includes a linear prediction analyzing unit for receiving an original signal and detecting a prediction coefficient predetermined through the linear prediction analysis

wherein a psychological acoustic modeling unit receives the original audio signal and obtains the masking threshold as a threshold capable of sensing audio original sound in a frequency area by employing a psychological acoustic model, as recited in amended claim 1.

Claims 6, 8, 10, 12, and 13 are also believed allowable at least because each of claims 6, 8, 10, 12, and 13 recites features similar to those discussed above with respect to claim 1.

Claims 2, 4, 5, 7, 9, and 11 are believed allowable for at least the same reasons presented above with respect to claims 1, 6, 8, and 10 by virtue of their dependence upon claims 1, 6, 8, and 10. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

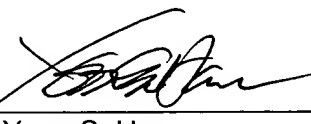
### **Conclusion**

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in a condition for allowance and a Notice to that effect is earnestly solicited.

Should any issues remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

Respectfully submitted,

MAYER BROWN ROWE & MAW LLP

By:   
Yoon S. Ham  
Registration No. 45,307  
Direct No. (202) 263-3280

YSH/VVK

Intellectual Property Group  
1909 K Street, N.W.  
Washington, D.C. 20006-1101  
(202) 263-3000 Telephone  
(202) 263-3300 Facsimile

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